

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wagle, et al.
Serial No.: 10/036,857 Art Unit: 1614
Filing Date: December 31, 2001 Examiner: Unknown
For: "Method for Treating Fibrotic Diseases or Other Indications III C"
Docket No. 361331-512

Commissioner for Patents
Washington, DC 20231

I hereby certify that this correspondence is being deposited with sufficient postage with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on April 9, 2003.

By: Jennifer Cliver
Jennifer Cliver

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.56

Applicants herein make available to the Patent and Trademark Office copies of the documents:

- ☒ listed on enclosed Form PTO/SB/08A/B (Formerly PTO-1449), in accordance with 37 CFR 1.98(a)(2); and
- ☐ listed on enclosed copies of Forms PTO-1449, PTO-892 or PTO/SB/08A/B, which forms recited the application information for applications to which this application claims priority under 35 U.S.C. §120, but have been edited to indicate the current application data. Pursuant to 37 CFR 1.98(d), NO COPIES OF THESE DOCUMENTS ARE ENCLOSED. The prior applications that provide the source of these documents are:

Serial No. _____, filed _____;

Serial No. _____, filed _____;

The Examiner is requested to consider carefully the complete text of these references in connection with the examination of this application. It is believed that the Examiner will concur with Applicant's belief that the foregoing references do not adversely affect the patentability of the subject matter presently claimed, taken alone or in combination.

It is requested that the listed references be included in the "References Cited" portion of any patent issuing from this application.

Under 37 CFR 1.97(i), Applicants understand that non-complying Information Disclosure Statements will be placed in the file but not considered by the Office, however, under Reply to Comment 8 of the Federal Register, page 2024, Applicants will be informed when information is not considered.

(1) **This Information Disclosure Statement is being filed (one of a - e):**

- (a) ☐ within three months of the filing date of the patent application.
- (b) ☐ within three months of the date of entry into the national stage as set forth in 37 CFR 1.491 of the international application.
- (c) ☒ **before** the mailing date of a first Office Action on the merits.
- (d) ☐ **after** the mailing date of the first Office Action on the merits, but before the mailing date of a Final Office Action under 37 CFR 1.116 or a Notice of Allowance under 37 CFR 1.311, and accordingly is accompanied by:
 - ☐ the Statement under 37 CFR 1.97(e) (see "Statement" below);
 - or**
 - ☐ the Fee of \$180.00 set forth in 37 CFR 1.17(p); or
- (e) ☐ **after** the period set forth above in (d) and **after** mailing date of a Final Office Action under 37 CFR 1.116 or a Notice of Allowance under 37 CFR 1.311, and accordingly is accompanied by:
 - ☐ the Statement under 37 CFR 1.97(e) (see "Statement" below);
 - and**
 - ☐ the Fee of \$180.00 set forth in 37 CFR 1.17(p); or

(2) **Statement**

- ☐ The **undersigned attorney** hereby states that each item information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

(If this box is checked, do not check any further Statement boxes.)

or

- ☐ The person signing immediately below hereby states that no item of information contained in the Information Disclosure was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the person signing after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

The person making the statement is:

- ☐ the inventor(s) who sign(s) below:

Signature of the Inventor(s)

Typed or Printed Name of the Inventor(s)

or

- ☐ a person who is substantively involved in the preparation or prosecution of the application, and who is associated with the inventor(s), or with the assignee, or with anyone to whom there is an obligation to assign the application (37 CFR 1.565(c)) and who signs below:

Signature of the Person(s)

Typed or Printed Name of the Person

Address of Person Signing

or

- ☐ the undersigned attorney who signs on the basis of the information:
- ☐ supplied by the inventor(s).
 - ☐ supplied by an individual designated in 37 CFR 1.56(c).
 - ☐ in the attorney's file.

Signature of the Attorney

(3) **Fees**

- ☒ **No Fee** is owed by the applicants.
- ☐ **The IDS Fee** of \$180.00 under 37 CFR 1.17(p) is enclosed herewith.

(4) **Method of Payment of Fees**

- ☐ Attached is a check in the amount of \$_____.
- ☐ Charge Account No. 04-0480 in the amount of \$_____.00. (A duplicate of this request is attached).

(5) **Authorization to Charge Additional Fees**

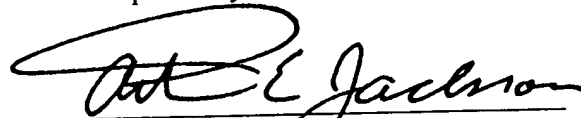
- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 04-0480.

(6) **Instructions as to Overpayment**

- ☐ Please credit Account No. 04-0480 for any overpayment.
- ☐ Please refund Dechert LLP in the amount of \$_____.

Consideration of the Information Disclosure Statement is earnestly solicited.

Respectfully submitted,



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Form PTO - 1449 U.S. Department of Commerce (Modified) Patent and Trademark Office				Attorney Docket No. 361331-512 Serial No.: 10/036,857 Applicant: Wagle, et al. Filing Date: December 31, 2001 Group No. 1614			
Information Disclosure Statement by Applicant (use several Sheets if necessary)							
U.S. PATENT DOCUMENTS							
Exmr Initial	Patent Number	Issue Date	Patentee	Class	Sub- Class	Filing Date If Appropriate	
A1	5,656,261	08/12/97	Cerami, et al.	424	53		
A2	5,853,703	12/29/98	Cerami, et al.	424	53		
A3	6,007,865	12/28/99	Cerami, et al.	426	656		
A4	6,121,300	09/19/00	Wagle, et al.	514	365		
A5	6,462,057	10/08/02	Sankaranarayanan	514	336		
A6	2003/0008817	01/09/03	Sander, et al.	514	12		
A7	2003/0045554	03/06/03	Sankaranarayanan	514	340		
FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION							
Exmr Initial	Document Number	Publn Date *	Country or Patent Office	Class	Sub- Class	Translation? Yes No	
A8	WO 01/25208 A1	04/12/01	PCT				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Place of Publication**)							
Examiner				Date Considered			

149231.1.07

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO - 2)

* Use publication date indicated on the patent or published application. 37 CFR 1.98(b).

** The place or publication refers to the name of the journal, magazine or other publication in which the article was published. Notice of January 9, 1992, 1135 O.G. 13 to 25 at 20.